

Remarks:

Claims 1-11 remain in this case and all claims stand rejected.

The Examiner objected to the drawings in respect of the omission of reference signs from the specification. The specification has been accordingly amended without the addition of new matter. The Specification has been further reviewed for errors as required by the Examiner.

The Examiner then rejected claims 1-2 and 5-9 under 35 U.S.C. § 101 as directed to non-statutory subject matter. This rejection is respectfully traversed. The Examiner stated "The claims are directed to a process . . . " On the contrary, claim 1 as originally filed is directed to "A registry system comprising . . . " The registry system of claim 1 includes three structural elements. Such a system is the very definition of statutory subject matter of Section 101. Furthermore, claim 5 as originally filed is directed to "A method of filling orders for perishable goods . . . " which defines a "new and useful process" under Section 101. Reconsideration is respectfully requested.

It is interesting to note that the Examiner did not reject claims 3 and 4 as directed to non-statutory subject matter. Claim 3 includes the structure of claim 1, and adds the feature that orders are received over a global communications network. Claim 4 includes the structure of claim 1, and adds the feature that the means to record preferences and the means to receive and record orders comprises a common data base in a structured query language. The Applicant submits that this omission by the Examiner is a tacit admission of the statutory nature of the structure of claim 1, and thus all claims meet the requirements of Section 101.

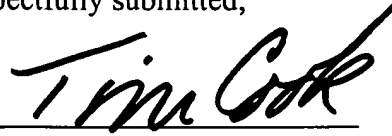
The Examiner then rejected claims 1-11 under 35 U.S.C. §103(a) as obvious over Robertson in view of DM New. Robertson relates to an online gift registry service. The service provides registration of information for a gift registrant and allows access to the registry by potential gift giver users. In addition, users can tag items of interest at

participating Service Provider (SP) sites and the SP sites will register these items with the Gift Registry Service on the user's behalf. It further provides a streamlined checkout process for purchasing these gift items with the registered SP sites (e.g. World Wide Web sites) over a distributed public network. Users and Service Providers (SP) initially register with the Gift Registry Service and are provided additional functionality. For users, a reminder service is provided to notify individuals automatically upon the trigger of certain events, such as important dates or product sales from online merchants. In addition, there are various occasion planning services available such as distribution lists, discussion groups, and other related resources for multiple events including weddings, baby showers, etc. These other resources include sending out announcements, reserving halls, and contracting services of related businesses for the occasion. The DM News references teaches a monthly subscription series programs.

The present invention extends the capabilities of these references. For example, if someone is a patient in hospital and orders are received to be sent to the patient, the present invention ensures that the orders are filled by delivering goods to the patient on a least two different days. There is no such capability shown or described in the references, alone or in combination. In particular, the marthasflowers.com reference requires a subscription, and the subscription is based on a single order. The present invention organizes two or more orders, and sees that they are filled by delivery on at least two different days. Reconsideration of the rejection under Section 103 is therefore requested.

The Applicant asserts that all claims are now in condition for allowance and respectfully request early allowance. If the Examiner believes that a phone conference would expedite this case to issue, he is encouraged to contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink that reads "Tim Cook". The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line.

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